

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 IO-10 CAB-02 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 SS-15 NSC-05

L-03 OIC-02 AF-06 ARA-06 EA-06 NEA-10 PA-01 USIA-06

PRS-01 SP-02 /102 W

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FM AMCONSUL MONTREAL

TO SECSTATE WASHDC 6354

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FROM USREP ICAO

E. O. 11652: N/A

TAGS: PORG, EAIR, ICAO

SUBJ: ICAO - BINAGHI RESIGNATION AND ELECTION NEW COUNCIL PRESIDENT

REF: A) MONTREAL 0905; B) MONTREAL 0917

1. IMMEDIATELY FOLLOWING FORMAL COUNCIL MEETING JUNE 2, COUNCIL CONVENED INFORMALLY UNDER CHAIRMANSHIP FIRST VP/MEXICO FOR CONSIDERATION OF PROBLEM. OBJECTIVES WERE (A) TO ARRANGE AN APPEAL TO BINAGHI TO REMAIN IN PRESIDENCY AND (B) IF ANSWER WAS "NO", TO EXCHANGE VIEWS INFORMALLY WITH RESPECT TO ONGOING SELECTION NEW PRESIDENT. A GROUP OF ELEVEN "VOLUNTEER" COUNCIL MEMBERS WITH FIRST VP AS SPOKESMAN AGREED TO CALL ON BINAGHI AT 2:30 JUNE 3, WITH UNANIMOUS BACKING OF COUNCIL. INFORMAL MEETING THEN ENGAGED IN RATHER LOOSE UNORGANIZED DISCUSSION ABOUT "WHERE WE GO FROM HERE" ON THE ASSUMPTION BINAGHI WOULD NOT CHANGE HIS MIND. THERE WAS CASUAL BUT SPECIFIC REFERENCE TO "A STATE LETTER" BUT ITALY REPEATEDLY QUERIED "WHAT STATE LETTER". THERE WERE REFERENCES TO RULES 6 AND 8 OF THE COUNCIL RULES OF PROCEDURE AS WELL AS ARTICLE 51 OF THE CHICAGO CONVENTION. USREP AND OTHERS EXPRESSED CONCERN ABOUT MOVING TOO FAR INFORMALLY

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TOWARD WHAT MUST BE FORMAL COUNCIL DECISIONS. GROUP DECIDED TO RECONVENE INFORMALLY AT 3:30 JUNE 3 FOLLOWING CALL ON PRESIDENT

BINAGHI.

2. FIRST VP COUNCIL OPENED INFORMAL JUNE 3 MEETING BY REPORTING THAT THE CALL ON BINAGHI HAD BEEN UNSUCCESSFUL AND THAT HE IS QUITE ADAMANT ABOUT DEPARTING BY THE END OF THIS CALENDAR YEAR. HE FEELS THAT COUNCIL HAS AMPLE TIME TO PROCEED WITH SELECTION OF NEW PRESIDENT. CHAIRMAN THEN ASKED FOR DISCUSSION ON NEXT STEPS. THERE WAS NONE. HE THEN EXPRESSED HIS OWN OPINION THAT A STATE LETTER IN SOME FORM SHOULD GO TO ALL CONTRACTING STATES REGARDING THIS MATTER. AGAIN THERE WERE NO INTERVENTIONS SO CHAIRMAN THEN ASKED IF GROUP HAD ANY OBJECTIONS TO ASKING THE SECRETARY GENERAL TO PRESENT "DOCUMENTATION" TO THE COUNCIL FORMALLY, WEEK OF JUNE 16. THERE WERE NO COMMENTS. CHAIRMAN ASKED FOR STATEMENT FROM SECGEN WHOSE ONLY COMMENT WAS THAT HE WOULD PREPARE "DRAFT LETTER" FOR COUNCIL. AT THIS POINT SEVERAL COUNCIL MEMBERS BECAME CONCERNED ABVIOUSLY ABOUT THE DISCREPANCY BETWEEN PREPARATION OF "DOCUMENTATION" (WORKING PAPER -- WHICH WILL HAPPEN AUTOMATICALLY IN ANY CASE), AND PREPARATIONS/PRESENTATION TO COUNCIL OF "A DRAFT STATE LETTER". UK MADE STRONG INTERVENTION THAT HE COULD NOT BE A PARTY TO INSTRUCTING SECGEN TO PRESENT DRAFT LETTER. USREP FOLLOWED WITH CONSTRUCTIVE INTERVENTION TO THE EFFECT THAT COUNCIL REPS WOULD EXPECT SECGEN'S USUAL EFFICIENT PRESENTATION OF A WORKING PAPER SETTING FORTH HISTORY/BACKGROUND OF PRESIDENCY (HOWEVER, MEAGER THE PRECEDENT), LEGAL ASPECTS OF VARIOUS ALTERNATIVES, AND ANY OTHER HELPFUL, FACTUAL INFORMATION. USREP STATED THAT COUNCIL MAY OR MAY NOT CONSIDER AND DECIDE ON SOME KIND OF STATE LETTER BUT IT WAS NOT FOR THE INFORMAL SESSION TO MAKE DECISIONS AND INSTRUCT SECGEN IN THIS REGARD. US INTERVENTION RECEIVED STRONG FOLLOW-UP BY NIGERIA, BRAZIL AND ITALY.

3. MEETING CONCLUDED WITH UNDERSTANDING THAT SECGEN WILL PROCEED ON BASIS OF THOROUGH WORKING PAPER, AND IN HIS JUDGMENT MAY OR MAY NOT INCLUDE A POSSIBLE DRAFT STATE LETTER AS ONE OF SEVERAL PROCEDURAL ALTERNATIVES.

4. THIS WORKING PAPER WILL COME BEFORE COUNCIL WEEK OF JUNE 16. (HOPEFULLY WILL BE CIRCULATED EARLY WEEK OF JUNE 9). COUNCIL DECISIONS AT THAT TIME WILL BE PROCEDURAL IN NATURE WITH MAJOR LIMITED OFFICIAL USE  
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DECISION HINGING ON WHETHER (A) SEND STATE LETTER TO ALL RPT ALL ICAO CONTRACTING STATES, OR JUST COUNCIL MEMBER STATES, OR TO NO STATES; (B) WHETHER SUCH LETTER WOULD BE "FOR INFORMATION", ADVISING STATES THAT THE PRESIDENT IS RESIGNING AND COUNCIL IS PROCEEDING TO SELECT REPLACEMENT, OR WOULD INVITE NOMINATIONS; (C) HOW AND FROM WHOM NOMINATIONS WILL BE RECEIVED (FOR EXAMPLE IF NON-COUNCIL MEMBER STATE WISHES TO NOMINATE, HOW DOES THAT NOMINATION COME BEFORE COUNCIL?), ETC.

5. IT IS NOW GENERAL KNOWLEDGE THAT KOTAITE IS CANDIDATE.

LEBANON REP ABOUCHACRA WANTS TO MOVE EXPEDITIOUSLY TOWARD  
EARLY COUNCIL ELECTION AND SEVERAL MEMBERS SEEM TO FAVOR SUCH  
APPROACH. HOWEVER, SINCE THERE IS NO PRECEDENT FOR MID-TERM  
VACANCY AND ONLY ONE PRECEDENT FOR CHANGING PRESIDENTS AT ALL,  
MOST MEMBERS CONSIDER SITUATION VERY HEAVY AND ARE WARY OF MOVING  
TOO FAST.

6. OBVIOUSLY A STATE LETTER TO ALL MEMBER STATES WHETHER FOR  
INFORMATION OR TO REQUEST NOMINATIONS WILL BRING ON SERIOUS  
COMPLICATIONS AND PROBABLY STRONG COMPETITIVE CANDIDATES.  
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## Message Attributes

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